

JEREMY A. ROTH, Bar No. 129007
LITTLER MENDELSON
A Professional Corporation
501 W. Broadway
Suite 900
San Diego, CA 92101.3577
Telephone: 619.232.0441
Facsimile: 619.232.4302

Attorneys for Defendant
PFIZER INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FERNANDO OBLITAS-RIOS, on behalf
of himself and all others similarly situated,

Plaintiff,

v.

PFIZER INC., a California Corporation;
and DOES 1-100, inclusive,

Defendant.

Case No. 06-cv-2679 (BTM)

**DECLARATION OF DEBORAH
JUANTORENA IN SUPPORT OF PFIZER
INC.'S MOTION TO TRANSFER VENUE
OR, IN THE ALTERNATIVE, TO STAY
THIS ACTION PENDING RESOLUTION
OF RELATED CASES**

Pursuant to 28 U.S.C. § 1746, I, Deborah Juantorena, hereby declare, under the pain and penalty of perjury, as follows:

1. I am currently employed by Pfizer Inc. ("Pfizer"), as Vice President, Sales Operations. I have held this position since September 5, 2006. Before that, I was Senior Director, Finance, US Pharmaceuticals.
2. As Vice President, Sales Operations, I am familiar with Pfizer's US Pharmaceutical Sales operations. In my position, I am responsible for the deployment and alignment of the Pfizer field sales force, the goal setting and performance tracking of the field sales force, the incentive compensation for the field sales force and the provision of information solutions, tools and tool training to the field sales force.
3. I am familiar with or have reviewed Pfizer's business records regarding the various

1 matters set forth in this Declaration, including, but not limited to, the geographic
2 distribution of Pfizer's sales representatives and managers, the personnel file of the
3 named Plaintiff, and the location of various corporate records and potential witnesses.

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5 4. Pfizer is a global pharmaceutical manufacturer that discovers, develops, manufactures
6 and sells its pharmaceutical products. Pfizer is incorporated in the United States in
7 the State of Delaware and its principal place of business, or headquarters, is in New
8 York City, New York. Pfizer's corporate headquarters is home to virtually all of the
9 Company's domestic pharmaceutical operations and the corporate departments that
10 support it, including the finance, compensation, incentive compensation, human
11 resources, employee benefits, legal, sales operations, marketing, training, and
12 compliance departments.

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14 5. In addition, virtually all of the operational and administrative personnel who are
15 involved with Pfizer's company policies and procedures regarding its sales
16 professionals are located in New York. This means that key policies and procedures
17 are established, issued and administered out of Pfizer's New York headquarters. This
18 includes employee guidelines, policies and procedures as well as compensation and
19 incentive compensation practices and procedures.

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21 6. Pfizer processes its payroll and maintains its payroll records within 50 miles of its
22 New York Headquarters, in Peapack, New Jersey.

23 7. Considerable files, documents and personnel records reside in hard copy form in New
24 York headquarters. If physically produced, the corporate documents and records,
25 such as computerized call reports, payroll records, general human resources and pay
26 policies and practices, for all of Pfizer's present and former sales representatives
27 would be extremely voluminous and would require a major and expensive
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1 undertaking to organize, copy, store and secure, and transport outside of the New
2 York area. Physically producing, transporting, storing, and securing such documents
3 outside of the New York area would also disrupt Pfizer's business operations because
4 of the expense, time, and personnel required to perform such tasks.

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6 8. Pfizer currently employs approximately 8,000 pharmaceutical sales representatives.

7 The vast majority of these sales representatives are located outside California.

8 9. Pfizer operates its national training center for the training of sales representatives in
9 Rye Brook, New York, within 25 miles of the New York Headquarters. Training
10 curriculum is developed in New York Headquarters and at Rye Brook. Thousands of
11 sales representatives receive various types of sales and product training at the Rye
12 Brook facility annually. Records related to these training activities are maintained at
13 the Rye Brook training center.

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15 10. Although Pfizer maintains one regional office in California, not all Pfizer sales
16 representatives who work in California report into that office. Some representatives
17 who work in California report into regional sales offices in other states, and all sales
18 representatives ultimately report into New York headquarters.

19 11. District and regional sales managers oversee the job performance of pharmaceutical
20 sales representatives. Although there are some district sales managers, and regional
21 managers in California, the overwhelming majority of such managers reside and work
22 outside California. All regional sales manager in California report to New York
23 Headquarters. Moreover, district and regional sales managers, irrespective of their
24 geographic home base, travel to the Rye Brook training facility for training and to
25 attend meetings at Pfizer Headquarters.

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27 12. If this lawsuit proceeds in California, it will be burdensome and inconvenient for
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1 Pfizer. Witnesses who likely will be called to testify for the Company include Pfizer
2 management and executive-level employees who: a) develop and prepare Pfizer
3 compensation and incentive compensation policies and practices; b) calculate or
4 approve rates of compensation and incentive compensation for exempt employees; c)
5 process timesheets, paychecks, and payroll; d) maintain payroll records; develop and
6 deliver training to sales representatives; set key sales policies and procedures and
7 manage the operations of Pfizer's pharmaceutical sales force. These witnesses work
8 at, or within short driving distances of the Company's New York headquarters and
9 generally live and work in the New York metropolitan area.
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- 11 13. Living and working in the New York area, these likely witnesses will be required to
12 travel hundreds of miles and spend up to a full day in transit to attend trial if held in
13 San Diego, California. Having to travel overnight to San Diego for hearings and a
14 lengthy trial, these key witnesses would be away from their work and home, which
15 would substantially disrupt Pfizer's business operations and the personal schedules of
16 the witnesses. Moreover, because the witnesses hold key responsibilities for the
17 operation of the Company, scheduling time away from work would be difficult
18 because their responsibilities would have to be delegated to others, or simply not
19 performed at all.
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- 1 14. Key witnesses expected to testify in this case would also include District and
2 Regional Managers. If District and Regional Managers must leave their territories to
3 testify in a hearing or trial in San Diego, the business operations of their respective
4 territories would be disrupted because of the costs involved in accommodating the
5 employees' absence from their territories. Although this is a cost that Pfizer would
6 bear regardless of the venue for trial, holding trial in the New York area would reduce
7 those travel costs for Pfizer. This is because Pfizer has negotiated discount lodging
8 rates at New York area hotels, there are numerous direct flights to many destinations
9 nation-wide from New York's international airports, and because Pfizer would not
10 need to pay for the use of rental cars for many of its witnesses who could be
11 transported by Pfizer personnel already working at the Company's headquarters.
12 Additionally, these trips by these District and Regional Managers could be combined
13 with company business to make their travel useful for business purposes.
- 14 15. Additionally, Pfizer's sales territories are not divided along state lines, so various
15 witnesses necessary for this action, even if covering a Pfizer territory in California,
16 may be required to leave their territories outside of California to attend hearings.
17 Therefore, San Diego will not be a more convenient forum than New York.

18 I declare under penalty of perjury under the laws of the United States
19 of America that the foregoing is true and correct.

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22 DEBORAH JUANTORENA

23 Executed in New York on May 14, 2007